

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

NATIN PAUL,

Petitioner,

-vs-

Case No. A-24-CV-01271-DAE

**JAN SOIFER, TRAVIS COUNTY DISTRICT
JUDGE, and SALLY HERNANDEZ, SHERIFF,
TRAVIS COUNTY JAIL,**

Respondents.

**ORDER DIRECTING RESPONDENTS
to ANSWER PETITION**

In accordance with Rules 4 and 5 of the Rules Governing Section 2254 Cases, **the Clerk shall serve Respondents with a copy of Petitioner's Habeas Corpus Petition and Emergency Application for Stay of the State Trial Court's Criminal Contempt Order and direct Respondents to file Answers or other responses.**

Accordingly, **IT IS ORDERED:**

1. Service on Respondents: The Clerk shall serve the Petition, the Emergency Application for Stay of the State Trial Court's Criminal Contempt Order, and this Order electronically via CM/ECF on the Texas Attorney General, directed to the attention of Edward Marshall, Assistant Attorney General, Chief of Criminal Appeals Division, and Laura Haney.

The Clerk shall serve the Petition, the Emergency Application for Stay of the State Trial Court's Criminal Contempt Order, and this Order on Travis County District Judge Jan Soifer and Travis County Sheriff Sally Hernandez, by certified mail, return receipt requested.

A courtesy copy of the Petition, the Emergency Application for Stay of the State Trial Court's Criminal Contempt Order, and this Order shall be mailed by certified mail, return receipt requested, to Travis County District Attorney Jose Garza and Travis County Attorney Delia Garza.

2. Respondents' Response to the Emergency Application for Stay: Respondents shall file responses within **FIVE DAYS** after receipt of the Emergency Application.

3. Respondents' Answers: Respondents shall file Answers within twenty-eight (28) days after receipt of the Petition. Respondents' Answers shall conform to Rule 5 of the Rules Governing

Section 2254 Cases and Federal Rule of Civil Procedure 12. Respondents shall serve Petitioner with a copy of the Answers as required by Federal Rule of Civil Procedure 5(b).

4. **Affirmative Defenses:** Respondents should address whether Petitioner has exhausted administrative or state court remedies, whether the Petition was filed within the one-year limitations period of 28 U.S.C. § 2244(d), and whether Petitioner's claims are barred by abuse of the writ.

5. **Petitioner's Reply:** Petitioner shall file his Reply to Respondents' Answer within twenty-one (21) days after Respondents serve Petitioner with Respondents' Answers.

6. **State Court Records:** Respondents shall provide the Court with the relevant State court records at the time they file Answers.

SIGNED this the 23rd day of October 2024.



DAVID A. EZRA
SENIOR UNITED STATES JUDGE